REMARKS

Claims 40-42 and 58-60 are pending in the present patent application. Applicant has presented new dependent claims 70 and 71. Claims 40-42 and 58-60 are unchanged in the present amendment. Applicant respectfully requests reconsideration of claims 40-42, 58-60, and 70-71 in view of the following remarks.

I.   Rejection of Claims 40-42 and 58-60 Under 35 U.S.C. §103(a)

The Examiner has rejected claims 40-42 and 58-60 under 35 USC 103(a) as being unpatentable over Gentner (5,724,595). However, the Examiner's rejection appears to be incomplete. As a result, Applicant is unable to address the Examiner's rejection at this time. Applicant respectfully requests that the Examiner either issue a new action containing the complete rejection or withdraw the rejection.

Specifically, the Examiner's rejection states:

> Regarding independent claims 40 and 58, refer to Gentner's abstract, figures 2-4, and column 2 (line 63) through column 4 (line 19). Gentner discloses:
>
> "creating a link between a first lexia and a second lexia". See abstract, in which he discloses *creating a link in an original hypertext document to a target hypertext document.*
>
> "displaying said first lexia in a lexia display window on a display screen". See figure 2 (10).
>
> "displaying a graphical element representing said second lexia in a hypermedia work display window on said display screen". See figures 2 and 3— anchor icon.
>
> "selecting a location for an activation area for said link in said lexia display window". See figure 2 (16).
>
> "selecting said graphical element in said hypermedia work display window". See column 3 (top), in which he discloses *control icons 18, called the "drag icons", which in the preferred embodiment is a representation of a ship's anchor.* Refer also to column 3 (lines 34-55), in which Gentner discloses *moving the mouse*

cursor over the drag target in the control area of the target window and pressing the select button on the mouse.

While it is noted that Gentner does not explicitly teach the newly added limitation, "wherein said hypermedia display is configured to **act on** at least said first lexia and said second lexia", it would have been obvious to one of ordinary skills in the art at the time of the invention to "act on at least said first lexia and said second lexia" because in Gentner, [sic; **the Examiner's obviousness reasoning is absent from incomplete paragraph**]

Regarding dependent claims 41-42 and 59-60, refer to Gentner's figure 3 (20) and column 3 (lines 51-54), in which he discloses "extracting a label", and "said link activation area comprises said label"—*the title of the target page is inserted into the text of the original page at the location of the mouse pointer.*

Applicant notes that the incomplete paragraph above is located at the end of page 3 of the rejection, and that the following unrelated paragraph begins at the top of page 4 of the rejection. It is thus likely that a portion of the incomplete paragraph was inadvertently omitted from the action prior to mailing from the Patent Office.

As the rejection currently reads, the Examiner admits that Gentner does not explicitly teach a limitation of independent claims 40 and 58. Given the incomplete rejection, Applicant maintains the position that claims 40-42 and 58-60 are allowable over the cited art.

II.   New Claims 70 and 71 Are Allowable

The Examiner responded to Applicant's remarks in the previous response by stating that certain features relied upon by the Applicant were not recited in the claims. Applicant presents herewith new dependent claims 70 and 71, which explicitly recite "*obtaining a graphical element by capturing prominent features of a second lexia.*" Applicant respectfully submits that claims 70 and 71 are neither

anticipated nor suggested by Gentner, for the reasons recited in the previous response and restated below.

Gentner does not teach, suggest or describe a graphical element individually representing each lexia. In Gentner the iconic representation (i.e. Ship Anchor icon) generically represents a location of a link to a target page. Gentner utilizes the icon as a push-button to initiate the creation of a link, by preparing the target information for the link. The icon exists for the user to start the process of creating a link. In Gentner the same icon (e.g. a ship's anchor) is utilized to indicate a location of a link to a target document and does not provide a distinctive visual cue of the target page because the icon is a representation of a link rather than a representation of the media work.

In Gentner, the graphical representation is not generated to show a target lexia's prominent features. Unlike Gentner, the present invention generates a graphical element by capturing prominent features of a target lexia. The graphical representation is utilized to provide an easy way of pre-viewing the content of a lexia by highlighting the feature (or features) that a user generally utilizes as visual cues in a lexia, while minimizing other features that the user normally ignores. Therefore, Gentner does not teach, suggest or describe a graphical element individually representing each lexia such as described in the present invention. For the foregoing reasons, Applicant submits that new, dependent claims 70 and 71 are allowable.

Serial No.: 09/764,772

<u>CONCLUSION</u>

For at least the foregoing reasons, Applicant respectfully submits that

pending claims 40-42, 58-60, and 70-71 are patentably distinct from the prior art

of record and in condition for allowance. Applicant therefore respectfully

requests that pending claims 40-42, 58-60 and 70-71 be allowed.

Respectfully submitted,

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Date: <u>September 16, 2003</u>   By:_____

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